

APPEAL PANEL DECISION FORM

I. CLAIMANT AND CLAIM INFORMATION

Claimant Name	Last/Name of Business ██████████	First ██████████	Middle ██████████
Claimant ID	██████████	Claim ID	██████████
Claim Type	Failed Business Economic Loss		
Law Firm	████████████████████		

II. DECISION

Denial Upheld

Denial Overturned

III. PRIMARY BASIS FOR PANELIST DECISION

Please select the primary basis for your decision. You may also write a comment describing the basis for your decision.

- Claim should have been excluded.**
- Claim should have been denied.**
- Claim should not have been excluded.**
- Claim should not have been denied.**
- No error.**

Comment *(optional)*:

This is a strange appeal. Claimant was denied a Failed BEL award based upon his failure to provide sufficient documentation to establish that his financial loss resulted from the Spill, as per the provisions of Exhibit 6 of the Agreement. In his Notice of Appeal, Claimant asserts in somewhat ambiguous fashion that the claim "should not have been denied based upon the decline of revenues and the subsequent increase of revenues by the new owners. Based on the customer mixed (sic) test, he met the criteria needed for the eligibility notice." Claimant through counsel then filed an Opening Memorandum in which he admits that "[t]he claim was initially filed as an ongoing business which sold out to another ongoing business which is still in operation...The sale took away the claim for the benefit of BP parties and left Claimant with no recourse." Since Claimant through counsel essentially admits he has no claim under the Agreement, this panelist will not herein attempt to fix what is not broken.